**IN THE SUPREME COURT OF INDIA**
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. OF 2025**

**(arising out of SLP (C) No.24512 of 2023)**

**SRI SAIKAT SAHA** **APPELLANT(S)**

**VERSUS**

**THE STATE OF TRIPURA & ORS.** **RESPONDENT(S)**

**With**

**CIVIL APPEAL NO. OF 2025**
**(arising out of SLP (C) No.11440 of 2025)**
**(@ Diary No.6176 of 2024)**

**CIVIL APPEAL NO. OF 2025**
**(arising out of SLP (C) No.11441 of 2025)**
**(@ Diary No.6178 of 2024)**

**AND**

**CIVIL APPEAL NO. OF 2025**
**(arising out of SLP (C) No.11442 of 2025)**
**(@ Diary No.6172 of 2024)**

**O R D E R**

1. We have heard learned counsel for the parties.

2. Leave granted.

3. Appellants challenge the judgment and order dated 14-12-2022 in W.A. Nos.31/2021 [*Saikat Saha vs. The State of Tripura and Others*], 83/2021 [*Sujit Nath vs. The State of Tripura and Others*], 81/2021 [*Tutan Saha vs. The State of Tripura and Others*] & 87/2021 [*Samaresh Debnath vs. The State of Tripura and Others*] passed by the High Court of Tripura at Agarthala.



4. Having heard the learned counsel for the parties at length, we

were of the considered view that perhaps interest of justice as also the parties would be best met if the present appellants were to be accommodated, without any intervention on our part, disturbing the arrangement set out by the High Court in terms of the impugned order. Appellants herein were required to be accommodated with the creation of supernumerary posts of Rural Programme Manager (For short, "the RPM"). In fact, on 11th February 2025, we had recorded the statements of the appellants to the effect that should the State favourably consider doing so, the appellants would not claim any seniority and/or back wages.

5. It is not in dispute that we are concerned with the appointment and selection of the RPMs pursuant to advertisement dated 5th October 2015 issued by the Directorate of Panchayat, Government of Tripura. It is also not in dispute that the entire selection process stood completed way back in the year 2015 itself.

6. Today, Ms. Aishwarya Bhati, learned Additional Solicitor General, has placed on record the communication dated 21st April 2025 indicating the intent of the Government in creating such supernumerary posts.

7. In view of the same, the present appeals are being disposed of on the following terms:

a) The statement of the appellants as recorded in our order dated 11th February 2025 which shall continue to bind them, is extracted as under:-

> "Learned counsel for the petitioner submits that he would not assail the appointment of the private respondents as also not claim seniority and back wages should the respondnt-State favourably considered their selection process pursuant to the

advertisement dated 5th October, 2015."

b) The respondent/State is permitted to create four supernumerary posts of the RPM within a period of three months from today for the purposes of appointing all four of the appellants herein. Undisputedly, the appellants herein were not only fully eligible, but stood selected in the selection process undertaken by the respondents way back in the year 2015.

c) As a result of the creation of supernumerary posts, letters of appointment shall be issued to the appellants within a period of thirteen weeks from today or any earlier date coinciding with the creation of such posts.

d) The appellants shall not be entitled to claim any seniority and/or back wages.

e) We clarify that for the purpose of *inter se* seniority, the appellants shall be placed at the bottom of the seniority list.

f) Amongst the appellants, three of them – namely, Saikat Saha, Sujit Nath and Samaresh Debnath – would be having a tenure less than what would be reasonably regarded as the qualifying service, enabling the employees to be entitled to retiral benefits. At this stage, it is not clear as to whether the employees are entitled to any pension or not. Be that as it may, we clarify that whatsoever benefits are due and payable to the employees upon their superannuation, the aforementioned appellants shall be entitled to the same, with their period of service deemed to have acquired

the required minimum qualifying service.

g) Needless to add, the instant order has been passed in the peculiar facts and circumstances of this case and shall not be treated as a binding precedent. It is confined only to the appellants herein (four in number) who are before us.

8. We fully appreciate the efforts put in by the learned Additional Solicitor General in communicating the sentiments of this Court to the appropriate authority and getting the needful done.

9. Pending application(s), if any, shall stand disposed of.

**.....J.**
**(SANJAY KAROL)**

**.....J.**
**(PRASHANT KUMAR MISHRA)**

**NEW DELHI;**
**22nd APRIL, 2025.**

**ITEM NO.302 COURT NO.10 SECTION XIV**

**S U P R E M E C O U R T O F I N D I A**
**RECORD OF PROCEEDINGS**

**Petition(s) for Special Leave to Appeal (C) No(s).24512/2023**

**[Arising out of impugned final judgment and order dated 14-12-2022 in WA No.31/2021 passed by the High Court of Tripura at Agarthala]**

**SRI SAIKAT SAHA PETITIONER(S)**

**VERSUS**

**THE STATE OF TRIPURA & ORS. RESPONDENT(S)**

**WITH**
**Diary No.6176/2024 (XIV)**
**FOR CLARIFICATION/DIRECTION ON IA 4240/2025**
**IA No. 4240/2025 - CLARIFICATION/DIRECTION**

**Diary No.6178/2024 (XIV)**

**Diary No.6172/2024 (XIV)**

**Date : 22-04-2025 These petitions were called on for hearing today.**

**CORAM :**
**HON'BLE MR. JUSTICE SANJAY KAROL**
**HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA**

**For Petitioner(s) :**
**Mr. Manoj, Adv.**
**Ms. Aparna Sinha, AOR**

**For Respondent(s) :**
**Ms. Aishwarya Bhati, ASG.**
**Mr. Shuvodeep Roy, AOR**
**Mr. Ram Koney, Adv.**
**Mr. Deepayan Dutta, Adv.**
**Mr. Saurabh Tripathi, Adv.**

**Mr. P. N. Mishra, Sr. Adv.**
**Mr. A. K. Yadav, Adv.**
**Mr. Arun Yadav, Adv.**
**Mr. Anil Kumar, Adv.**
**Mr. Abhishek Chakraborty, Adv.**
**Mrs. Ranjana Pathak, Adv.**
**Mr. Kartik Arora, Adv.**
**Mr. Kedar Nath Tripathy, AOR**

**Mr. Mayank Pandey, AOR**

**Mr. Narendra Kumar, Adv.**
**Mr. Jitendra Mohapatra, Adv.**
**Mr. Sriram P., AOR**

**Upon hearing the counsel the Court made the following**
**O R D E R**

1. Delay condoned.

2. Leave granted.

3. The appeals are disposed of in terms of the signed order, which is placed on the file.

4. Pending application(s), if any, shall stand disposed of.

**(D. NAVEEN)**
**COURT MASTER (SH)**

**(ANU BHALLA)**
**COURT MASTER (NSH)**